

## **Censorship (and Classification)**

HUMS3001: Lecture 4

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## **Summary**

- Liberty / Harm Principle (JS Mill)
- Democracy / Roles of Media (Economou and Tanner)
- Free Speech / Bill of Rights (Fish)
- Speech Acts / Hate Speech (Austen/Gelber)

## Lecture Overview

- “Types” of censorship
  - Market, Subterranean
  - Formal, informal, institutional, self
- Censorship in Australia
  - Classification Boards, media ownership, codes of ethics, sedition, self censorship

## Lecture Questions

- The essential question is not, ‘Is there censorship?’ but rather **‘What kind of censorship?’** (Curry Jansen 25)
- What is problematic about drawing distinctions between types of censorship?

# Censorship

- Nick O'Neill, Simon Rice and Roger Douglas, "Censorship" *Retreat From Injustice* (2004)
  - "Censorship continues to arouse intense passions. For opponents of censorship, [...] bans on even the most worthless articles are treated as if they represented the penultimate step down the slippery slope to totalitarianism. For its advocates, censorship is vital for the protection of civilisation as we knew it." (420)

# Origins of censorship

- Calvinism and the Enlightenment
- Liberalism's 'good lie'
  - "Enlightenment merely transferred the office of Censor from a civic to a private trust. So that Liberalism's 'Good Lie'—its **claim** to have abolished censorship—merely replaced church and state censorships with market censorship." (Curry Jansen 4)

## Origins of Censorship

- Liberalism and the 'marketplace of ideas'
- Tyranny: restriction on thought, expression, publication, discussion
- Curry Jansen - Marketplace censorship?

## Types of Censorship

- Sue Curry Jansen:
  - Constitutive censorship
  - Regulative censorship
  - Legal censorship
  - Nationalist censorship
  - Prior censorship
  - **Market censorship**
  - **Subterranean censorship**

## **“Types” of Censorship**

- Formal
  - Governmental
  - Institutional
- Informal
  - Social
  - Self

## **Types of Censorship**

- Sue Curry Jansen:
  - Constitutive and Regulative censorship
    - “constitutive censorship” is the underlying ideology of “regulative censorship”, which is the visible, codified laws/regulations enacting censorship (8)
  - Legal and Nationalist censorship
    - Believed by liberalists to be used “only under extraordinary circumstances” (15)

## Market Censorship

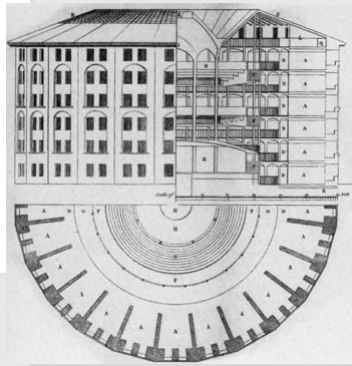
- Sue Curry Jansen:
  - Prior and Market censorship
    - “the products that survive the prior censorship of marketing research—the books, news, scripts, games, coupons, programmed learning modules, syllabi, styles, visuals, advertisements, party platforms, etc.—incorporate ideology and values that celebrate the corporate state and vilify its critics” (16-7)

## Market Censorship

- Market censorship and “The Propaganda Model”
  - Herman and Chomsky
    - a “free market” analysis where “[m]ost biased choices in the media arise from the preselection of right-thinking people, internalized preconceptions, and the adaptation of personnel to the constraints of ownership, organization, market, and political power. Censorship is largely self-censorship” (xii)

# Subterranean Censorship

- The Panopticon



Jeremy Bentham, "Plan of the Panopticon" [1791], *The Works of Jeremy Bentham* (1843)



Cuban Panopticon-style Prison

# Subterranean Censorship

- Sue Curry Jansen:

- The Electric Panopticon

- "Panopticonism provides a working model for agents of **subterranean censorship** [...] today nearly every citizen of an enlightened society is wired to the Tower and yet remains only marginally aware of the attachment" (22-3)

## **“Formal” Censorship**

- Governmental
  - film, literature, games “classification” boards
  - customs
  - internet
  - legal: contempt of court, vilification
- Institutional
  - Codes of Ethics (lawyers, doctors, academics, journalists)

## **Government Classification**

- Media Ratings
  - Film:
    - G, PG, M, MA15+, R18+, X15+, and RC
  - Print:
    - Unrestricted, Unrestricted M, category 1 R18+, Category 2 R18+ (wrapped), and RC
  - Games:
    - G, PG, M, MA15+, and RC



# Government Classification

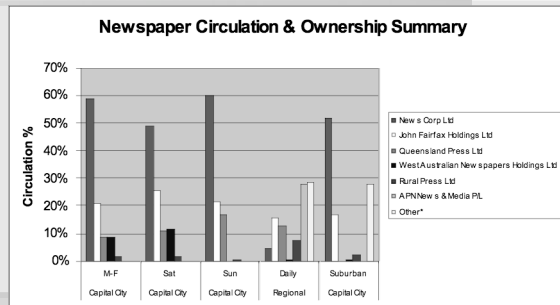
- Principles:
  - Adults should be able to read, hear and see what they want
  - Protect minors
  - Protect everyone from unsolicited offensive material
  - Protect community standards
- Criteria:
  - Morality, decency and propriety for reasonable adults
  - Literary, artistic, educational merit
  - General character of media (intended audience, purpose)
  - Person or class of persons who are likely to access media

# Internet Censorship

- ACMA:
  - Australian-hosted material
    - Take-down notices, disable links
    - Review and enforce industry codes
    - Verify and test Age-restriction systems
  - Overseas-hosted material
    - Maintain secret blacklist of likely-prohibited material

# “Informal” Censorship

- Social / Community
  - Media ownership, whistleblowers



Graph by Paul Sheehan for [www.tmc.org.au](http://www.tmc.org.au)

- Self
  - Victims of crime, workplace bullying